



2816

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

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MAY 21 2001  
TC 2800 MAIL ROOM

PATENT APPLICATION

Eduard Sackinger

CASE 8

Serial No. 09/498,559

Group Art Unit 2816

Filed February 4, 2000

Examiner D. Le

Title Active Inductor

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Enclosed is an amendment in the above-identified application.

NO ADDITIONAL FEE REQUIRED

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 12-2325** as required to correct the error.

Respectfully,

Eugene J. Rosenthal, Attorney  
Reg. No. 36,658  
908-582-4323.

Date: May 16, 2001

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Patent Application

Inventor(s): Eduard Sackinger  
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THE COMMISSIONER OF PATENTS AND TRADEMARKS  
WASHINGTON, D.C. 20231  
SIR:

RESPONSE

This communication is in response to the Office Action dated March 9, 2001.

Remarks

Claims 1-19 are pending in the application.

Claims 16-17 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 5,821,825 issued to Kobayashi on October 13, 1998.

Claims 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi.

Each of the various rejections and objections are overcome by amendments which are made to the specification, drawing, and/or claims, as well as, or in the alternative, by various arguments which are presented.

Rejection Under 35 U.S.C. 102(b)

Claims 16-17 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 5,821,825 issued to Kobayashi on October 13, 1998.

The Office Action states that FIG. 2 of Kobayashi discloses an active inductor (22) biased by the voltage divider (R3, R4) which provides a reference voltage between the voltage Vee and ground or beyond the Vee and ground.

This ground of rejection is respectfully traversed for the following reasons.

According to basic electrical engineering principles, the voltage at the middle of a voltage divider will be a value that is between the values at the ends of the divider. Thus, since the voltage divider cited by the Office Action is connected between Vee and ground, the bias voltage produced must be between Vee and ground. Note that Vee is the DC supply voltage for the Kobayashi circuit, which is the voltage supplied by the power supply of Kobayashi. Thus, the voltage at the junction of the resistors which used to bias the active inductor must be less than that of the Kobayashi power supply.

Consequently, the Kobayashi arrangement does not operate as does applicants' independent claim 16, in that the active inductor of Kobayashi is **not** biased using a voltage generated on said integrated circuit that is beyond the range of the voltage supplied by a power supply for operating said integrated circuit. Nor is there any other voltage shown in Kobayashi that biases and active inductor using a voltage generated on said integrated circuit that is beyond the range of the voltage supplied by a power supply for operating said integrated circuit, as is recited in applicant's independent claim 16. Therefore, Kobayashi does not teach or suggest applicant's independent claim 16, and applicant's claim 16 is allowable over Kobayashi.

Since claims 17 and 19 depend on and include all the limitations of claim 18, which is allowable over Kobayashi, claims 17 and 19 are also allowable over Kobayashi

**Rejection Under 35 U.S.C. 103(a)**

Claims 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi.

Applicant respectfully traverses this ground of rejection for the following reasons.

This rejection is predicated on the rejection under 35 U.S.C. 102(b) of independent claim 16 on which claim 18 depends being maintainable, since the Office

Action essentially repeats the 35 U.S.C. 102(b) rejection and adds that although Kobayshi does not disclose the transistor being PMOS, as recited in claim 18, it would have been obvious to use a PMOS transistor. However, since applicant has shown hereinabove that the rejection of claim 16 under 35 U.S.C. 102(b) cannot be maintained, the rejection of claim 18 under 35 U.S.C. 103 also cannot be maintained.

Thus, applicant's invention is not suggested by Kobayashi and is not merely a design expedient. As a result, applicant's claims are allowable over Kobayashi under 35 U.S.C. 103(a).

**Conclusion**

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

If, however, the Examiner still believes that there are unresolved issues, he is invited to call applicant's attorney so that arrangements may be made to discuss and resolve any such issues.

In the event that an extension of time is required for this amendment to be considered timely, and a petition therefor does not otherwise accompany this amendment, any necessary extension of time is hereby petitioned for, and the Commissioner is authorized to charge the appropriate cost of such petition to the **Lucent Technologies Deposit Account No. 12-2325**.

Respectfully,

Eduard Sackinger

By Eugene J. Rosenthal  
Eugene J. Rosenthal, Attorney  
Reg. No. 36,658  
908-582-4323

Lucent Technologies Inc.

Date: May 16, 2001